

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04 CV 10746 JLT

IVAN SANTIAGO,  
Plaintiff

v.

WILLIAM J. FEENEY, MARCUS  
EDDINGS, and the CITY OF BOSTON,  
Defendants

**JOINT MOTION TO EXTEND DEPOSITION DEADLINE  
AND RESCHEDULE PRE-TRIAL CONFERENCE**

NOW come the parties in the above captioned matter and respectfully request that this Court extend the deadline to take depositions from January 28, 2005 to February 25, 2005, and reschedule the Pre-Trial Conference from February 8, 2005 to a date subsequent to the deposition deadline. As grounds therefore, the parties state the following:

1. The above action alleges that Defendant City of Boston Police Officers violated the Plaintiff's federal and state civil rights. The above action further alleges that Defendant City of Boston violated the Plaintiff's federal civil rights.
2. The Scheduling Conference in this case was September 30, 2005, at which the deadline for depositions was set for January 28, 2005. A Pre-Trial Conference was scheduled for February 8, 2005.
3. Below-signed counsel have endeavored in good faith to comply with the deadline. The deposition of Defendant Marcus Eddings was conducted on October 26, 2004. The deposition of Defendant Feeney was originally noticed for November 19, 2004, but due to scheduling conflicts was rescheduled to December 17, 2004, and then again to January 10, 2004, at which time it was conducted. The deposition of Plaintiff Ivan Santiago

was originally noticed for December 13, 2004, but again due to scheduling conflicts had to be conducted on January 19, 2005. The deposition of witness Jacqueline Lugo was also supposed to take place on December 13, 2004, and then again on January 19, 2005, but she was not able to appear and counsel have agreed to reschedule, together also with the deposition of Ms. Lugo's mother Gladys Colon, also a witness.

4. Due to respective counsels' case loads and scheduling availability, completing the depositions in compliance with the deadline will not be possible.
5. Counsel have conferred and agree that a twenty-eight day extension to February 25, 2005 would provide adequate time to complete the depositions.
6. Allowing the extension of discovery would be beneficial to all parties involved and would be in the interests of preserving judicial time and resources.
7. Rescheduling the Pre-Trial Conference from February 8, 2005 to a date after the deposition deadline and convenient to the Court would also be in the interests of preserving judicial time and resources.
8. There is no prejudice to either party in allowing the instant motion.
9. Counsel for both parties have assented to this motion.

WHEREFORE, Plaintiff and Defendant respectfully request that their Joint Motion to extend the deadline to take depositions from January 28, 2005 to February 25, 2005, and reschedule the Pre-Trial Conference from February 8, 2005 to a date subsequent to the deposition deadline be ALLOWED.

PLAINTIFF IVAN SANTIAGO  
By his attorney:

S/ Stephen Hrones

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DEFENDANTS WILLIAM J. FEENEY,  
MARCUS EDDINGS, and the CITY OF  
BOSTON  
By their attorney:

S/ Stephen G. Cox

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